

REMARKS

Claims 1-35, 38-49 and 52-54 are pending. Claims 1, 3, 9, 10, 12-17, 19-23, 25, 32, 34, 35, 41, 43-45, 52, and 54 have been amended. Claims 36, 37, 50, and 51 have been cancelled. Reexamination and reconsideration of the application is respectfully requested.

In the January 6, 2005 Office Action the Examiner rejected claims 1-53 under 35 U.S.C. §112, second paragraph, as being incomplete. Claims 1, 3, 9, 10, 12-17, 19-23, 25, 32, 34, 35, 41, 43-45, 52, and 54 have been amended to overcome this rejection. The Examiner rejected claims 1-54 under 35 U.S.C. §102(b) as being anticipated by Russell, U.S. Patent No. 6,313,836 (hereinafter the Russell reference). This rejection is respectfully traversed.

Independent claim 1, as amended, recites:

A three-dimensional modeling apparatus for supplying a three-dimensional model of a target to a customer, comprising:

an input section for inputting three-dimensional shape data of said target;

a formation section for manufacturing a real three-dimensional model based on the obtained three-dimensional shape data; and

a recording medium issuing section for issuing a recording medium in which information can be written to or read from, when said three-dimensional shape data is input, wherein said recording medium can be read by a third-party apparatus.

In the Office Action the Examiner rejected claims 1-54 under 35 U.S.C. §102(b) as being anticipated by the Russell reference. In so doing, the Examiner stated "in

figure 3, Russell discloses an apparatus for creating a three-dimensional model including input sections, forming section 21, and recording mediums 25b, 31."

The Russell reference does not disclose, teach, or suggest the apparatus specified in independent claim 1, as amended. Unlike the apparatus specified in independent claim 1, as amended, the Russell reference does not show **"a formation section for manufacturing a real three-dimensional model based on the obtained three-dimensional shape data"**.

The Russell reference states that "a further object of the present invention is to allow a specific view representation (including, specific view orientation, display attribute (e.g., color), geometric transformation (e.g., rotation), and display form (e.g., wireframe)) of a 3-D model annotated with 3-D pointers to be preserved such that viewers of the model can communicate with each other with respect to the model in a consistent environment." (Col. 2, lines 13-19). The Russell reference makes no mention whatsoever of manufacturing a real three-dimensional model.

The Russell reference does not disclose, teach, or suggest "a formation section for manufacturing a real three-dimensional model based on the obtained three-dimensional shape data".

Accordingly, Applicant respectfully submits that independent claim 1, as amended, distinguishes over the above-cited reference. Claims 2-8 depend directly or indirectly from independent claim 1, as amended. Therefore, Applicant respectfully submits that claims 2-8 distinguish over the above-cited reference for the same reasons as set forth above with respect to independent claim 1, as amended.

Independent claims 9, 14, and 32, as amended, recite limitations similar to independent claim 1, as amended. Specifically, independent claims 9, 14, and 32, as amended, recite “a formation section for manufacturing a real three-dimensional model based on the obtained three-dimensional shape data”.

Accordingly, Applicant respectfully submits that independent claims 9, 14, and 32, as amended, distinguish over the above-cited reference. Claims 10-13, 15-31, and 33-34 depend directly or indirectly from claims 9, 14, and 32, as amended,. Therefore, Applicant respectfully submits that independent claims 9, 14, and 32, as amended, distinguish over the above-cited references for the same reasons as set forth above with respect to independent claim 1, as amended.

Independent claim 35, as amended, recites:

A three-dimensional modeling apparatus for supplying a three-dimensional model of a target to a customer, comprising:

an input section for inputting three-dimensional shape data of said target;

a recording section for recording a plurality of three-dimensional shape data which are input from said input section;

an identification number input section for inputting an identification number which is used for **determining whether to display** said recorded three-dimensional shape data;

an identification number judging section for **judging whether to display** said recorded three-dimensional shape data based on said input identification number; and

a data outputting section for displaying said recorded three-dimensional shape data , wherein the recorded three-dimensional shape data can be displayed from a

plurality of predetermined points of view within a predetermined range, **one of the plurality of predetermined points of view is selected based on said identification number**, and the recorded three-dimensional shape data is displayed based on the selected point of view.

The Russell reference does not disclose, teach, or suggest the apparatus specified in independent claim 35, as amended. Unlike the apparatus specified in independent claim 35, as amended, the Russell reference does not show "an identification number input section for inputting an identification number which is used for **determining whether to display** said recorded three-dimensional shape data; an identification number judging section for **judging whether to display** said recorded three-dimensional shape data based on said input identification number; and a data outputting section for displaying said recorded three-dimensional shape data , wherein the recorded three-dimensional shape data can be displayed from a plurality of predetermined points of view within a predetermined range, **one of the plurality of predetermined points of view is selected based on said identification number**, and the recorded three-dimensional shape data is displayed based on the selected point of view."

Accordingly, Applicant respectfully submits that independent claim 35, as amended, distinguishes over the above-cited reference. Claims 38-42 depend directly or indirectly from independent claim 35, as amended. Therefore, Applicant respectfully submits that claims 38-42 distinguish over the above-cited reference for the same reasons as set forth above with respect to independent claim 35, as amended.

Independent claim 43, as amended, recites:

A three-dimensional modeling apparatus for supplying a three-dimensional model of a target to a customer, comprising:

an input section for inputting three-dimensional shape data of said target;

a database section for storing the three-dimensional shape data input from said input section and related property information , wherein **a number of accesses** are also stored for and in addition to each of the three-dimensional shape data stored at said database section;

a charge computation device, wherein **a charge process for charge targets** stored in the database section **is executed based on said number of accesses**; and

a display section for displaying said stored three-dimensional shape data.

The Russell reference does not disclose, teach, or suggest the apparatus specified in independent claim 43, as amended. Unlike the apparatus specified in independent claim 43, as amended, the Russell reference does not show “a database section for storing the three-dimensional shape data input from said input section and related property information , wherein **a number of accesses** are also stored for and in addition to each of the three-dimensional shape data stored at said database section; a charge computation device, wherein **a charge process for charge targets** stored in the database section **is executed based on said number of accesses**”.

Accordingly, Applicant respectfully submits that independent claim 43, as amended, distinguishes over the above-cited reference. Claims 44-49 and 52-54 depend directly or indirectly from independent claim 43, as amended. Therefore, Applicant respectfully submits that claims 44-49 and 52-54 distinguish over the above-

cited reference for the same reasons as set forth above with respect to independent claim 43, as amended.

Applicant believes that the foregoing amendment and remarks place the application in condition for allowance, and a favorable action is respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

Date: June 28, 2005

By: 

Roger R. Wise
Registration No. 31,204
Attorney for Applicant(s)

725 South Figueroa, Suite 2800
Los Angeles, CA 90017-5443
Telephone: (213) 488-7100
Facsimile: (213) 629-1033



Addendum

1. PILLSBURY WINTHROP SHAW PITTMAN LLP
2. -6**XXX